

SMITH HOPEN
INTELLECTUAL PROPERTY LAW180 Pine Avenue North, Oldsmar FL 34677
(813) 925-8505 Tel (813) 925-8525 FaxRECEIVED
CENTRAL FAX CENTER
MAY 17 2006**FAX** INTELLECTUAL PROPERTY LAW

To: U.S. Patent & Trademark Office From: Michael M. McGaw

Attn: Tracy Ann Vivlemore, Art Unit: 1635 Client: 1372.133.PRC

Fax: (571)273-8300 Pages: 6 including coversheet

Phone: (571)272-2914 Date: May 17, 2006

Re: USSN 10/708,239 CC: University of South Florida

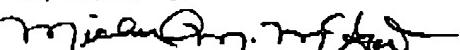
Urgent For Review Please Comment Please Reply Please Recycle

Dear Examiner Vivlemore:

In response to the office communication mailed May 9, 2006, we enclose the following:

- 1) Response Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated May 17, 2006 (2 pages); and
- 2) Response A with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated May 17, 2006 (6 pages).

Very respectfully,



Michael M. McGaw
Reg. No. 53,296

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/708,239 Confirmation No. 2238
Applicant : Cress Jr., William Douglas, et al.
Filed: 02/18/2004
TC/A.U. : 1635
Examiner : Vivlemore, Tracy Ann
Docket No. : 1372.133.PRC
Customer No. : 21,901
For : EF21 RNA Inhibitor to Prevent Apoptosis

**RECEIVED
CENTRAL FAX CENTER
MAY 17 2006**

Transmitted to Central Fax at (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicants are independent inventors.

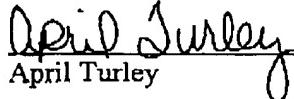
EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required.

**CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R.1.8(a))**

I HEREBY CERTIFY that this Response A is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 1635, Attn: Tracy Ann Vivlemore, (571) 273-8300, on May 17, 2006.

Date: May 17, 2006


April Turley

(Amendment Transmittal--page 1)

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1) Claims Remaining After Amendment	(Col. 2) Highest No. Previously Paid For	(Col. 3) SMALL ENTITY		
Total	4	Minus	20	= 0
Indep.	2	Minus	3	= 0
First Presentation of Multiple Dependent Claim				+ \$180 = \$0
				Total Addit. Fee \$0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
- *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,

SMITH & HOPEN

By:


Michael M. McGaw
USPTO Reg. No. 53,296
180 Pine Avenue North
Oldsmar, FL 34677
(813) 925-8505
Attorneys for Applicant

Dated: May 17, 2006
Customer No. 21,901

(Amendment Transmittal—page 2)

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 17 2006

Serial No. : 10/708,239 Confirmation No. 2238
Applicant : Cress Jr., William Douglas, et al.
Filed: 02/18/2004
TC/A.U. : 1635
Examiner : Vivlemore, Tracy Ann
Docket No. : 1372.133.PRC
Customer No. : 21,901
For : EF21 RNA Inhibitor to Prevent Apoptosis

Transmitted to Central Fax at (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

In response to the Office's communication mailed May 09, 2006, concerning
Applicant's *bona fide* attempt to reply, Applicant responds as follows:

Response A

Remarks begin on page 2 of this paper.